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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

YENNA WU, Derivatively on Behalf of
Nominal Defendant EXTREME NETWORKS,
INC.

Plaintiff

v.

GORDON L. STITT, HERB SCHNEIDER,
STEPHEN HADDOCK, PAUL ROMEO, VITO
PALERMO, HAROLD COVERT, DARRELL
SCHERBARTH, CHRISTOPHER N. TODD,
ALEXANDER J. GRAY, FRANK C.
CARLUCCI, WILLIAM R. SLAKEY,
CHARLES CARINALLI, HARRY
SILVERGLIDE, MICHAEL WEST, KENNETH
LEVY, ROBERT L. COREY, PETER
WOLKEN, PROMOD HAQUE, AND
EXTREME NETWORKS, INC.,

Defendants.

and

EXTREME NETWORKS, INC.,

Nominal Defendant.

Case No.: 07-02268-RMW

**[PROPOSED] ORDER GRANTING
MOTION TO CONSOLIDATE
RELATED ACTIONS, APPOINT
LEAD PLAINTIFFS AND LEAD
COUNSEL**

To be consolidated with:

[PROPOSED] ORDER GRANTING MOTION TO CONSOLIDATE RELATED ACTIONS, APPOINT
LEAD PLAINTIFFS AND LEAD COUNSEL
CASE NO. C 07-CV-2268-RMW

LINDA ERIKSON, Derivatively on Behalf of
Nominal Defendant EXTREME NETWORKS,
INC.

Plaintiff,

v.

GORDON L. STITT, HERB SCHNEIDER,
STEPHEN HADDOCK, PAUL ROMEO, VITO
PALERMO, HAROLD COVERT, DARRELL
SCHERBARTH, CHRISTOPHER N. TODD,
ALEXANDER J. GRAY, FRANK C.
CARLUCCI, WILLIAM R. SLAKEY,
CHARLES CARINALLI, HARRY
SILVERGLIDE, MICHAEL WEST, KENNETH
LEVY, ROBERT L. COREY, PETER
WOLKEN, and PROMOD HAQUE,

Defendants,

and

EXTREME NETWORKS, INC.,

Nominal Defendant.

Case No.: 07-02388-RMW

To be consolidated with:

FRANK A. GRUCEL, JR., Derivatively on
Behalf of Nominal Defendant EXTREME
NETWORKS, INC.

Plaintiff,

v.

GORDON L. STITT, MICHAEL WEST,
WILLIAM R. SLAKEY, MICHAEL J. PALU,
ALEXANDER J. GRAY, HERB SCHNEIDER,
FRANK C. CARLUCCI, STEPHEN
HADDOCK, ALICIA JAYNE MOORE,
HARRY SILVERGLIDE, ROBERT L. COREY,
KENNETH LEVY, CHARLES P. CARINALLI
and PETER WOLKEN,

Defendants,

and

EXTREME NETWORKS, INC.,

Nominal Defendant.

Case No.: 07-2848-RMW

1 **AND NOW**, upon consideration of the Motion filed by Plaintiffs Yenna Wu ("Ms. Wu")
 2 and Linda Erikson ("Ms. Erikson") (collectively "Proposed Derivative Lead Plaintiffs") to
 3 Consolidate Related Actions, Appoint Lead Plaintiffs and Appoint Lead Counsel, and any
 4 response thereto, and good cause appearing therefore, it is hereby ORDERED and DECREED as
 5 follows:

6 **I. CONSOLIDATION OF ACTIONS**

7 1. The following actions are hereby consolidated for all purposes, including pretrial
 8 proceedings, trial and appeal:

<u>Abbreviated Case Name</u>	<u>Case Number</u>	<u>Date Filed</u>
<i>Yenna Wu v.</i> <i>Gordon L. Stitt, et. al.</i>	C07-cv-2268-RMW	April 25, 2007
<i>Linda Erikson v.</i> <i>Gordon L. Stitt, et. al.</i>	C07-cv-2388-RMW	May 2, 2007
<i>Frank A. Grucel, Jr. v.</i> <i>Gordon L. Stitt, et. al.</i>	C07-cv-2848-RMW	May 31, 2007

14 2. The caption of these consolidated actions shall be "In re Extreme Networks
 15 Derivative Litigation" and the files of these consolidated actions shall be maintained in one file
 16 under Master File No C07-cv-2268-RMW. Any other derivative actions now pending or later
 17 filed in this Court which arise out of or are related to the same facts as alleged in the above-
 18 identified cases shall be consolidated for all purposes, if and when they are brought to the
 19 Court's attention.

20 3. Every pleading filed in the consolidated actions, or in any separate action
 21 included herein, shall bear the following caption:

22 **UNITED STATES DISTRICT COURT**
 23 **NORTHERN DISTRICT OF CALIFORNIA**
 24 **SAN JOSE DIVISION**

In re EXTREME NETWORKS)	Master File No. C07-cv-2268-RMW
DERIVATIVE LITIGATION)	
)	
)	
This Document Relates To:)	
)	

1 4. When a pleading is intended to be applicable to all actions governed by this
2 Order, the words "All Actions" shall appear immediately after the words "This Document
3 Relates To:" in the caption set out above. When a pleading is intended to be applicable to only
4 some, but not all, of the consolidated actions, this Court's docket number for each individual
5 action to which the pleading is intended to be applicable and the abbreviated case name of said
6 action shall appear immediately after the words "This Document Relates To:" in the caption
7 described above (e.g., "*Yenna Wu v. Gordon L. Stitt, et. al.* C07-cv-2268-RMW").

8 5. A Master Docket and a Master File hereby are established for the above
9 consolidated proceedings and for all other related cases filed in or transferred to this Court.
10 Separate dockets shall continue to be maintained for each of the individual actions hereby
11 consolidated, and entries shall be made in the docket of each individual case in accordance with
12 the regular procedures of the clerk of this Court, except as modified by this Order.

13 6. When a pleading is filed and the caption shows that it is applicable to "All
14 Actions," the clerk shall file such pleading in the Master File and note such filing on the Master
15 Docket. No further copies need be filed, and no other docket entries need be made.

16 7. When a pleading is filed and the caption shows that it is to be applicable to fewer
17 than all of the consolidated actions, the clerk will file such pleading in the Master File only but
18 shall docket such filing on the Master Docket and the docket of each applicable action.

19 8. When a case which properly belongs as part of In re Extreme Networks
20 Derivative Litigation is filed in this Court or transferred to this Court from another court and
21 assigned to Judge Ronald M. Whyte, the clerk of this Court shall:

- 22 (a) Place a copy of this Order in the separate file for such action;
- 23 (b) Mail to the attorneys for the plaintiff(s) in the newly-filed or transferred
24 case a copy of this Order and direct that this Order be served upon or
25 mailed to any new defendant(s) or their counsel in the newly-filed or
26 transferred case; and
- 27 (c) Make an appropriate entry on the Master Docket. This Court requests the
28 assistance of counsel in calling to the attention of the clerk of this Court
the filing or transfer of any case which properly might be consolidated as
part of In re sonic Solutions Derivative Litigation.

II. APPOINTMENT OF LEAD PLAINTIFFS AND LEAD COUNSEL

9. Yenna Wu and Linda Erikson shall be appointed Lead Plaintiffs.

10. The law firm of Schiffrin Barroway Topaz & Kessler, LLP shall be appointed Lead Counsel for plaintiffs in the consolidated Extreme Networks shareholder derivative actions.

11. Lead Counsel shall have authority to speak for plaintiffs in matters regarding pretrial and trial procedure and settlement negotiations, and shall make all work assignments in such manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.

12. Defendants' counsel may rely upon all agreements made with Lead Counsel or other duly authorized representatives of plaintiffs and such agreements shall be binding on plaintiffs.

IT IS SO ORDERED.

Dated: _____

The Honorable Ronald M. Whyte,
United States District Court Judge